

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ALAINA J. ORCUTT,

Plaintiff,

vs.

Civil Action 2:06-CV-906
Judge Smith
Magistrate Judge King

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

On February 4, 2008, the United States Magistrate Judge issued a *Report and Recommendation* recommending that the decision of the Commissioner be reversed and this action be remanded to the Commissioner for further consideration of evidence relating to alcohol abuse on plaintiff's part and the mental residual functional capacity assessment made by plaintiff's treating psychiatrist in September 2003. The parties were specifically advised of their right to object to the *Report and Recommendation* and of the consequences of their failure to do so. There has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. The decision of the Commissioner is hereby **REVERSED** and this action is **REMANDED** to the Commissioner for further consideration of evidence relating to alcohol abuse on plaintiff's part and the mental residual functional capacity assessment made by plaintiff's treating psychiatrist in September 2003.

The Clerk will enter **FINAL JUDGMENT** pursuant to Sentence 4 of 42 U.S.C. §405(g).

s/George C. Smith
George C. Smith, Judge
United States District Court